

UNITED STATES COURT OF APPEALS December 4, 2008
FOR THE TENTH CIRCUIT Elisabeth A. Shumaker
Clerk of Court

BILLY MONROE HICKS,

Plaintiff - Appellant,

v.

JUSTIN JONES; EDWARD EVANS,
Warden; GREGG WILLIAMS; BOBBY
BOONE; MARTY SIRMONS; ART
LIGHTLE; BOB COMPTON, Head
Kitchen Supervisor, sued as John Doe,

Defendants - Appellees.

No. 08-7097
(D.C. No. 6:08-CV-00228-RAW-SPS)

ORDER

This matter is before the court on the appellant's "Motion to Dismiss," filed pursuant to Fed. R. App. P. 42 (b) and 10th Cir R. 46.3 (B). The motion is granted and this appeal is dismissed.

A copy of this order shall stand as and for the mandate of this court.

Entered for the Court,



ELISABETH A. SHUMAKER, Clerk